



# TOWN OF KNIGHTDALE

## PLANNING DEPARTMENT

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### ORD #11-12-21-001

## AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF KNIGHTDALE, REGARDING TECHNICAL EDITS AND CLARIFICATIONS OF INTENT FOR CHAPTERS 9 AND 10

WHEREAS, the Town of Knightdale has received a petition to amend Chapter 9 (Circulation & Connectivity) and Chapter 10 (Parking Standards [now Vehicle Accommodation Standards]) of the Unified Development Ordinance with technical edits for consistency of language and referencing, clarifications of intent and interpretation, further definition of broad terms, addition of exemplary graphics and photos, and the removal of redundant text, as well as the amendment of other remaining chapters of the Unified Development Ordinance affected by the proposed amendments to chapters 9 and 10, such as updating code section references and locations as well as adding/amending definitions (Chapter 19) for consistency; and

WHEREAS, the Town of Knightdale Unified Development Ordinance Section 15.15 establishes uniform procedures for amending the text of the Ordinance; and

WHEREAS, the proposed zoning text changes comply with the goals of the Town's Comprehensive Plan because they are reasonable in that they advance the stated objectives of ensuring through the development approval process that access to transportation facilities promotes and balances safety, efficiency, convenience and economic considerations; ensuring through its ordinances that facilities are designed to promote safe interaction between different transportation modes; and coordinating transportation facilities with surrounding public and private entities to achieve a well-connected and accessible regional transportation network by improving the clarity and consistency of the UDO's language and formatting in these relevant chapters; as well as being furthermore consistent with the Comprehensive Plan's stated goal of providing responsible urban design, planning and development;

NOW, THEREFORE BE IT ORDAINED by the Town Council of the Town of Knightdale, North Carolina:

SECTION 1. That the Unified Development Ordinance of the Town of Knightdale Code be amended to read as follows (*editing notes in parenthetical italics*):

(*See Attachments for Chapters 9 & 10*)

**Section 2.10B(2) Parking Requirements:** (per Chapter 10-Vehicle Accommodation Areas): May achieve compliance with parking requirements by making payments to the Town's Fund 70 Capital Reserve account as provided in Section 10.2B.

**Section 6.4F(6) Nitrogen Reduction Option:** When chosen as an option under Section 10.3E(2), nitrogen loading for the entire site shall be reduced by a minimum of 30 percent. This reduction can be achieved using any device listed in the *Manual* or any other proprietary device approved by the Town Engineer. For calculating the nitrogen export, refer to the *Neuse River Basin: Model Stormwater Program for Nitrogen Control Manual*.

**Section 8.7A Vehicle Accommodation Areas:** Except for driveways and associated parking pads serving single-family dwellings, the sides of all vehicle accommodation areas (*parking lots, loading docks, drive -thru facilities, circulation drives, etc.*) fronting a public right-of-way and sides not otherwise protected by a buffer yard as determined by the Administrator shall be screened as follows to reduce the negative impacts of automobile headlights and glare on adjacent properties.

**Section 13.9A(2)** A change of use to the building or site that requires an expansion to the existing parking area by more than ten (10) percent of the maximum parking spaces permitted for the proposed use as determined by Section 10.3D "Motorized Vehicle Parking" or by more than ten (10) spaces, whichever is less; or

**Section 13.9B(1)** If there is a change of use to the building or site that requires an expansion to the existing parking area of no more than ten (10) percent of the maximum parking spaces permitted for the proposed use as determined by Section 10.3D "Motorized Vehicle Parking" or ten (10) spaces, whichever is less; or

## Chapter 19

**Bicycle Facilities:** A general term denoting improvements and provisions made to accommodate or encourage bicycling, including parking, bicycle lanes and shared roadways.

**Development:** Any land disturbing activity which adds to or changes the amount of impervious or partially impervious cover on a land area or which otherwise decreases the infiltration of precipitation into the soil. Also, any action such as subdividing that is undertaken for the purpose of making land more useful, or any area of a site where clearing, grading, parking, structures, walks or related work takes place for the construction, operation and maintenance of a site.

**Loading Area:** An area, separate and distinct from any parking area, that is delineated on a plan and used for the regular and intermittent loading and unloading of supplies, equipment or materials.

**Sharrow:** A shared lane marking that assists bicycles with lateral positioning within a travel lane as identified by the most recent Manual on Uniform Traffic Control Devices.

**Pedestrian Walkway:** A separate, delineated, and protected path for the safe movement of pedestrians between sites or within a given site, including but not limited to sidewalks, crosswalks, multi-use paths, arcades and pedestrian bridges.

**Permeable Surface:** Although considered by this ordinance as an *impervious surface*, permeable surfaces possess a characteristic that allows the movement of some water and/or air around the surface material to infiltrate sub-surface areas such as a series of concrete pavers.

**Porous Surface:** Although considered by this ordinance as an *impervious surface*, porous surfaces possess a characteristic that allows the movement of some water and/or air through the surface material to infiltrate sub-surface areas such as porous asphalt or concrete.

**Vehicle Accommodation Area:** Any portion of a lot that is used by vehicles for access, circulation, parking, storage, stacking while awaiting services, loading and unloading.

SECTION 2. That all laws and clauses of law in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 3. That if this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of this ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable.

SECTION 4. That this ordinance has been adopted following a duly advertised public hearing of the Town Council and following review and recommendation by the Land Use Review Board.

SECTION 5. That this ordinance shall be enforced as provided in G.S. 160A-175 or as provided for in the Knightdale Town Code.

SECTION 6. That this ordinance shall become effective upon its adoption by Town Council.

Adopted this 21<sup>st</sup> day of December, 2011.

ATTEST:

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Russell B. Killen, Mayor

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Suzanne M. Yeatts, Town Clerk

APPROVED AS TO FORM:

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Clyde Holt, III; Town Attorney